

1 Honorable Thomas S. Zilly  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9 FAIR HOUSING CENTER OF  
10 WASHINGTON,

11 Plaintiff,

12 v.

13 BREIER-SCHEETZ PROPERTIES, LLC, a  
14 Washington corporation; and FREDERICK  
BREIER-SCHEETZ, an individual,

15 Defendants.

No. 2:16-cv-00922-MAT

16 DECLARATION OF MICHAEL C. SUBIT  
17 IN SUPPORT OF PLAINTIFF'S MOTION  
18 FOR ATTORNEY'S FEES AND COSTS

19 I, MICHAEL C. SUBIT, states as follows, based on personal knowledge:

20 1. I am a partner at the law firm of Frank Freed Subit & Thomas LLP, 705 Second  
21 Avenue, Suite 1200, Seattle, Washington.

22 2. I have been licensed to practice law since my admission to the California State  
Bar in 1990. I became a member of the Washington State Bar in 1999. I am also licensed to  
practice in the District of Columbia.

23 3. I graduated from Yale University, *summa cum laude*, in 1987. I graduated with  
24 honors from Stanford Law School in 1990, where I was a member of the Law Review.

25 4. I was a law clerk to United States District Judge William Wayne Justice of the  
26 United States District Court for the Eastern District of Texas and to Judge Stephen Reinhardt of  
27 the United States Court of Appeals for the Ninth Circuit. While working with those judges, I

DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR  
ATTORNEY'S FEES AND COSTS - 1  
No. 2:16-cv-00922-MAT

10017.04 ki288501

MACDONALD HOAGUE & BAYLESS  
705 Second Avenue, Suite 1500  
Seattle, Washington 98104  
Tel 206.622.1604 Fax 206.343.3961

1 became well acquainted with the governing standards for attorneys' fees petitions in civil rights  
 2 and employment cases.

3       5. I have been practicing employment law full time since 1993. During my practice,  
 4 I have been counsel of record on behalf of numerous individual clients and entities in  
 5 employment, and other types of, cases before the state courts of Washington, California,  
 6 Maryland, and the District of Columbia; the U.S. District Courts for the Western and Eastern  
 7 Districts of Washington, Central District of California, Maryland, and Eastern District of  
 8 Virginia; and the U.S. Court of Appeals for the Fourth, Sixth, and Ninth Circuits.

9       6. I have prepared and submitted petitions for attorneys' fees in civil rights and  
 10 employment cases, which the court has approved.

11       7. I have spoken at numerous Continuing Legal Education classes in Washington  
 12 and throughout the country. I am a member of the Washington Employment Lawyers  
 13 Association (WELA) and National Employment Lawyers Association (NELA). I am the former  
 14 employee co-chair of the EEO Committee of the American Bar Association's Section of Labor &  
 15 Employment Law.

16       8. I have been named a Washington SuperLawyer in the area of Labor &  
 17 Employment for each of the past 16 years, and been repeatedly named one of the top 100  
 18 SuperLawyers in the state.

19       9. I am also listed in *Best Lawyers in America*. That publication named me "Lawyer  
 20 of the Year" for the Puget Sound region for labor law for 2015 and for individual employment  
 21 law for 2016 and 2018.

22       10. In 2013 I was elected to the College of Labor and Employment Lawyers, in my  
 23 first year of eligibility.

11. My current hourly rate is \$550 in non-class cases. That has been my hourly rate for approximately one year.

12. I have worked and consulted with many other plaintiffs' attorneys through whom I became familiar with the usual and customary fees for experienced attorneys in the Seattle area in the areas of labor, employment, and civil rights.

13. I am personally familiar with the legal work of Jesse Wing. Jesse is an exceptional attorney. I understand that Jesse's standard hourly rate is \$500. That is well within the range of customary rates charged by plaintiffs' civil rights attorneys in the Seattle areas with similar experience and expertise.

14. I know, but am not personally familiar with the legal work of, Angela Galloway. I understand her hourly rate is \$325. That is well within the range of customary rates charged by plaintiffs' civil rights attorneys in the Seattle areas with similar experience.

15. I personally familiar with the legal work of Sam Kramer. I understand his hourly rate is \$275. That is well within the range of customary rates charged by plaintiffs' civil rights attorneys in the Seattle areas with similar experience.

I declare under penalty of perjury of the laws of the United States of America and the State of Washington that the foregoing is true and correct.

DATED this 29th day of September 2017 at Seattle, Washington.

By: /s/ Michael C. Subit  
Michael C. Subit, WSBA # 29189

1                   CERTIFICATE OF SERVICE

2                 I certify that on the date noted below I electronically filed this document entitled  
3                 DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND  
4                 COSTS with the Clerk of the Court using the CM/ECF system which will send notification of  
5                 such filing to the following persons:

6                   Counsel for Defendants

7                 George T. Hunter, WSBA # 14388  
8                 5900 48<sup>th</sup> Ave S  
9                 Seattle, WA 98118  
10                Telephone: 206-851-7700  
11                Email: [gthunter7700@gmail.com](mailto:gthunter7700@gmail.com)

12                DATED this 9th day of October 2017, at Seattle, Washington.

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14                \_\_\_\_\_  
15                Esmeralda Valenzuela, Legal Assistant

16                DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION FOR  
17                ATTORNEY'S FEES AND COSTS - 4  
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